

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

March 5, 2002 LB 58, 251

CLERK: Senator Erdman, I have nothing further on the bill, Senator.

SENATOR CUDABACK: Senator Erdman for a motion.

SENATOR ERDMAN: Thank you, Mr. President. I move the advancement of LB 58 to E & R for engrossing.

SENATOR CUDABACK: The motion is the advancement of LB 58 to E & R for engrossing. All in favor of that say aye. Opposed nay. It is advanced. Mr. Clerk.

CLERK: Mr. President, LB 251. Senator Erdman, I do have Enrollment and Review amendments, Senator. (AM7157, Legislative Journal page 437.)

SENATOR CUDABACK: Senator Erdman.

SENATOR ERDMAN: Mr. President, I move the adoption of the E & R amendments to LB 251.

SENATOR CUDABACK: The motion is to adopt the E & R amendments to LB 251. All in favor say aye. Opposed nay. They are adopted.

CLERK: Mr. President, Senator Schimek would move to amend, AM2589. (Legislative Journal page 520.)

SENATOR CUDABACK: Senator Schimek, you're recognized to open on your amendment.

SENATOR SCHIMEK: Yes, thank you, Mr. President and members. This amendment just clarifies that LB 251 applies to both candidates who would otherwise be eligible to receive a certificate of election, but are disqualified for some reason, and, and candidates who are, for whatever reason, unable to take the oath of office. And here are two examples which would apply. The first one is the situation that happened in Missouri where Mel Carnahan died before the election, but he was still voted in. With LB 251 this situation would create a vacancy in the office. This was the original situation LB 251 was designed